

CITY OF PORTLAND



ENVIRONMENTAL SERVICES
CITY OF PORTLAND
working for clean rivers



PORTLAND PARKS & RECREATION
Healthy Parks, Healthy Portland

Dean Marriott, Director

Zari Santner, Director

1120 SW Fifth Avenue, Portland Oregon 97204

July 27, 2010

Christopher Cora, Project Manager
U.S. Environmental Protection Agency
Region 10
1200 6th Ave, Suite 900, ECL-115
Seattle, WA 98101-3140

Re: Harbor Oil Superfund Site

Dear Mr. Cora

The City of Portland (City) has significant concerns about the adequacy of the Harbor Oil remedial investigation (RI) and human health and ecological risk assessments (RAs). The City requests that EPA, as the lead agency for the investigation and cleanup, require the responsible parties (RPs) to prepare final documents that are technically sound, address stakeholder concerns and provide a solid foundation for the feasibility study. The Harbor Oil Superfund site is located adjacent to City-owned Force Lake, North Lake and associated wetlands, which have been designated as "Anchor Habitat"¹ and the Hazardous substance releases from Harbor Oil have contaminated these properties. While the size of Harbor Oil Superfund site is relatively small, the City believes that its size should not influence the rigor of the analysis of data and risks associated with the site. A thorough and complete evaluation and cleanup of Harbor Oil is important to the City in order to achieve its watershed health goals and to protect the health of our citizens who use these properties for fishing, bird watching, and other recreational activities.

The City is committed to natural resource protection and manages its urban watersheds under the *Portland Watershed Management Plan* (2005). The watershed approach relies on integrating the activities of multiple City bureaus, and maximizing limited resources by looking for solutions that meet multiple interests. The approach incorporates City values of improving public safety, economic vitality and community stewardship into decision-making. City properties impacted by the Harbor Oil site are managed by Portland Parks and Recreation (PP&R) and the Bureau of Environmental Services (BES). PP&R is responsible for the maintenance and stewardship of Portland's natural areas BES is responsible for protecting the public health and the environment and promoting healthy ecosystems in the City's watersheds.

¹ Anchor habitats are highly valuable large, contiguous habitat complexes that are composed primarily of natural habitats and managed primarily for natural resources/wildlife

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We believe that significant elements of the RI and RAs are based upon inadequate information and urge EPA to ensure that the final RI and RAs are based on a thorough and complete evaluation. These documents are critical to ensure that appropriate remedial actions can be selected to meet federal and state cleanup laws and that the actions on City properties will provide long-term, protection of human health and the environment. The City and others have provided comments to EPA on the draft RI and RA reports advocating that the RPs fully characterize contaminant releases from the site and evaluate risks based on a complete characterization of contaminants both on-site and in the adjacent wetlands and lakes. Specifically, City comments request EPA to require the RPs to:

- Fully characterize contaminants that have and may be continuing to migrate to the adjacent wetlands and lakes from the Harbor Oil site. Additional investigations are needed to evaluate:
 - Groundwater discharges to the wetlands and lakes (characterization is incomplete);
 - Stormwater discharges to the wetlands and lakes (no data collected);
 - Dioxins/furans and if they pose unacceptable risk (no data collected);
 - Sources of DDT;
 - Nature and extent of petroleum product (e.g., oils) in subsurface soil and floating on the groundwater surface. The significance of the petroleum product is downplayed and should be evaluated to determine if it is a principal threat under EPA CERCLA regulations or a "hot spot" under Oregon Cleanup Statutes.
 - Fish tissue concentrations (no data collected). The Oregon Department of Human Services issued a fish advisory for Force Lake due to DDT concentrations in the lake.
- Evaluate potential risks to human health and the environment based on a complete characterization of contaminants both on-site and in the adjacent wetlands and lakes. The risk exposure scenarios and receptors (e.g., aquatic and terrestrial species) should be discussed and agreed upon by federal, state, local, and tribal governments; affected landowners, and other stakeholders.
- The RI Report should identify the chemicals and exposure scenarios that present the majority of the risk to human health and the environment, as well as chemicals that exceed potentially Applicable or Relevant and Appropriate Requirements (ARARs). This list of chemicals should be used to identify contaminants of concern for further evaluation in the site FS.

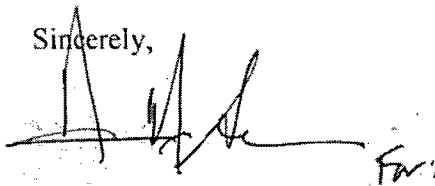
In summary, a thorough and complete evaluation and cleanup of Harbor Oil is important to the City in order to protect our resources, achieve watershed health goals and protect the health of our citizens. We understand that EPA will receive the PRPs' response to EPA comments on the Draft RI and Risk Assessments in the next week or two. We urge EPA to evaluate the responses critically and to reevaluate the documents to ensure that they are technically sound, address stakeholder concerns, provide a solid foundation for

Mr. Christopher Cora
EPA Region 10
July 27, 2010
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the feasibility study and ultimately support a site remedy that meets EPA and DEQ requirements.

We look forward to your early response to this letter and a fruitful resolution of these issues.

Sincerely,

Handwritten signature of Zari Santner in black ink, followed by the initials "FW" in blue ink.

Zari Santner, Director
Portland Parks and Recreation

Handwritten signature of Dean Marriott in black ink.

Dean Marriott, Director
Bureau of Environmental Services

Cc:

Dan Saltzman, COP Commissioner
Nick Fish, COP Commissioner
Jan Betz, COP Attorney's Office
Harry Auerbach, COP Attorney's Office
Deb Yamamoto, EPA Region 10
Bruce Gilles, ODEQ
Mavis Kent, ODEQ
Mark Stephan, HOCAG
David Farrar, DHS
Tom Calabrese
Rose Longoria, Yakama Nation